

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**Blue Spike, LLC,**

*Plaintiff,*

**V.**

**Texas Instruments, Inc., et al.,**

***Defendants.***

**CASE NO. 6:12-cv-499 MHS**

## LEAD CASE

## Jury Trial Demanded

**Blue Spike, LLC,**

***Plaintiff,***

**V.**

**CBS Corp. and Last.fm Ltd.,**

***Defendants.***

**CASE NO. 6:12-cv-594 LED**

## CONSOLIDATED CASE

## Jury Trial Demanded

**MOTION OF VOLUNTARY DISMISSAL OF DEFENDANT CBS CORP. WITHOUT  
PREJUDICE UNDER RULE 41(a)(1)(A)(i) OF THE FEDERAL RULES OF CIVIL  
PROCEDURE**

Plaintiff Blue Spike, LLC hereby moves to voluntarily dismiss its Complaint against Defendant CBS Corp. (“Defendant”) without prejudice pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure. In accordance with Rule 41(a)(1)(A)(i), Plaintiff states that this Motion has been filed prior to service by Defendant of an answer or of a motion for summary judgment.

Respectfully submitted,

By: /s/ Randall T. Garteiser

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***ATTORNEYS FOR BLUE SPIKE, LLC***

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email.

/s/ Randall T. Garteiser